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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/538,371	06/13/2005	Santanu Dutta	US02 0563 US	6034
65913	7590	01/10/2008	EXAMINER	
NXP, B.V. NXP INTELLECTUAL PROPERTY DEPARTMENT M/S41-SJ 1109 MCKAY DRIVE SAN JOSE, CA 95131			PARIKH, KALPIT	
			ART UNIT	PAPER NUMBER
			2187	
			NOTIFICATION DATE	DELIVERY MODE
			01/10/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

AK

Advisory Action
Before the Filing of an Appeal Brief

Application No.

10/538,371

Applicant(s)

DUTTA, SANTANU

Examiner

Kalpiti Parikh

Art Unit

2187

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 12 December 2007 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☐ The period for reply expires _____ months from the mailing date of the final rejection.
b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
(a) ☒ They raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ They raise the issue of new matter (see NOTE below);
(c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☒ For purposes of appeal, the proposed amendment(s): a) ☒ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
The status of the claim(s) is (or will be) as follows:
Claim(s) allowed: _____.
Claim(s) objected to: _____.
Claim(s) rejected: 1-16.
Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: see Attached.
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper No(s). _____.
13. ☐ Other: _____.

I. ACKNOWLEDGMENT OF ISSUES RAISED BY THE APPLICANT

Applicants' representative arguments filed 12 December 2007 have been fully considered but they are not deemed persuasive. A response to Applicants' representative argument appears below.

Applicants' representative amendment is not entered because the amendment raises new issues and search consideration, namely by presenting in each of the remaining dependent claims, a combination not previously presented/considered. While the scope of the proposed independent claim is the same as the scope of claims 5, 10 and 15, the scope of the other dependent claims is different.

STATUS OF REJECTIONS/OBJECTIONS

WITHDRAWN IN VIEW OF APPLICANTS AMENDMENTS/ARGUMENTS:

Objection to claims 12-16.

RESPONSE TO AMENDMENTS/ARGUMENTS

1st POINT OF ARGUMENT:

Applicants' representative argues the cited portions of Nogradi et al. do not correspond to the claimed invention because Nogradi et al. do not disclose performing a translation of the identification of the buffer received from the application to the address of the buffer in order to store the data in the buffer.

Examiner respectfully disagrees. Nogradi et al. discloses a buffer descriptor index to identify a buffer descriptor associated with the buffer. Nogradi further discloses addressing the buffer with an address of the memory.

Examiner contends a translation occurs to access the buffer because the shared memory location of the buffer cannot be addressed using a buffer descriptor index. A buffer access is initiated with a buffer descriptor index, but the location of the buffer in the shared memory cannot be accessed using the buffer descriptor index because the buffer descriptor index is separate from the shared memory address. A translation from a buffer descriptor index to a shared memory address based on the mapping in the buffer descriptor therefor occurs to perform read/write access to the buffer (see also COL 12 LINE 67-COL 13 LINE 1).

2nd POINT OF ARGUMENT:

Applicants' representative states the 103(a) rejection of claims 1-2, 6-7, 9, 11-12, 14 and 16 is moot in view of the proposed amendment.

Examiner notes claims 5, 10 and 15 where not rejected under the 103(a) rejection.

Applicants' representative argues there is no reason to combine Shemla with Brown in the manner asserted in the previous office action.

The previous office action cited to Brown et al. COL 5 LINES 28-37 to provide motivation for modifying Shemla et al. to determine the number of partitions based on a parameter of an application that will use the buffers.

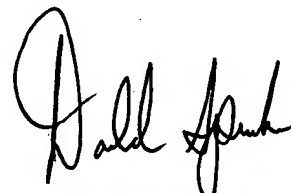
Brown et al. disclose at the cited portion:

"A primary advantage of this method of buffer management is in its optimized memory utilization. The memory available for the port is always used in a manner that is most advantageous for the current connection parameter."

The previous office action further stated, in response to the arguments that Shemla et al. could not support the feature of "dynamically partitioning the memory," that the claims do not recite dynamically partitioning the memory.

Brown et al. was *only* relied upon to suggest determining a number of partitions based on a communication parameter acquired from the application that will use the buffers.

Examiner contends it would have been obvious to a person of ordinary skill in the art to determine the number of partitions based on a communication parameter acquired from the application that will use the buffers as suggested by Brown et al. to arrive at the invention as specified in the claims.

A handwritten signature in black ink, appearing to read "Donald Sparks", written in a cursive style.

DONALD SPARKS
SUPERVISORY PATENT EXAMINER